

Docket No. P02799

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/757,221	Confirmation No.	3786
Applicant	:	Kaplan et al.		
Filed	:	1/13/2004		
TC/A.U.	:	3629		
Examiner	:	Matthew L. Brooks		
Docket No.	:	P02799		
Customer No.	:	28548		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Hon. Commissioner,

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner mailed 1/21/2009, finally rejecting claims 1-32.

Applicant claims small entity status.

The fee for this Notice of Appeal is \$270.00 (fee code 2401; 37 CFR 41.20(b)(1)) and is submitted herewith. The Director is hereby authorized to charge any additional fees which may be required for this amendment, or credit any overpayment, to Deposit Account No. 50-1887, referencing our Docket No. P02799.

Respectfully submitted,

Date: April 20, 2009

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CERTIFICATE OF TRANSMISSION

I hereby certify that, on the date shown below, this correspondence is being transmitted to the U.S. Patent and Trademark Office by EFS-Web.

Date: April 20, 2009

/Michael D. Volk Jr./
Signature
Michael D. Volk Jr.
(type or print name of person certifying)